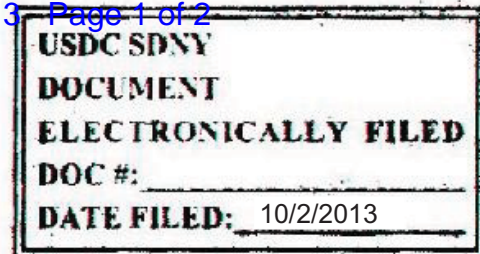


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September 30, 2013

By Electronic Mail

Honorable Lorna G. Schofield,
United States District Judge
United States District Court -
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *Sachin Shah v. Justin Lumiere, et al.*,
Index No. 13-CV-02975 (S.D.N.Y.)(LGS)

Dear Judge Schofield:

The undersigned represents the Plaintiff Sachin Shah in the above-referenced action. I write for two reasons.

First, the original schedule had Requests for Production of Documents due at the end of this month when Defendants' Answers were due August 30, 2013. With your Honor's rescheduling of Defendants' Answers to be due to September 30 (today), I respectfully request that Requests for Production of Documents be due October 30, 2013.

Second, Plaintiff has not been able to locate Stefan Lumiere in order to effectuate service. The service company is reporting back that he is not at the address stated in the Complaint and that what addresses can be located for Stefan Lumiere are decades old where he also cannot be found. Stefan Lumiere has an attorney who could easily be the recipient of service. I respectfully request that: (i) Plaintiff be given another 15 days, to October 15, 2013, to effect service on Stefan Lumiere; and (ii) this Court issue an Order pursuant to Rule 4(e)(1) of the Federal Rules of Civil Procedure that avails itself of the procedure in the New York CPLR, at section 308(5), whereby the Court designates the manner of service and designates Stefan Lumiere's attorney to receive said service.

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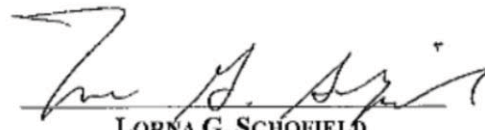
Very truly yours,
NESENOFF & MILTENBERG, LLP

By: Philip A. Byler, Esq.
Philip A. Byler, Esq.

cc: Steven E. Mallen, Esq. (by electronic mail) - Defendant Justin Lumiere
Lawrence P. Eagle, Esq. (by electronic mail) - Defendant Lester Levy
Robert N. Knuts, Esq. (by electronic mail) - Defendant Stefan Lumiere

Requests for production of documents shall be served by October 15, 2013. Plaintiff shall file a letter motion on ECF requesting alternative service and an affidavit attesting to efforts undertaken in order to effectuate service on Stefan Lumiere.

Dated: October 2, 2013
New York, NY


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE